

REMARKS

Claims 1-6 are now pending in the application. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

STATEMENT OF COMMON OWNERSHIP

Applications and references (whether patents, patent applications, patent application publications, etc.) will be considered by the examiner to be owned by, or subject to an obligation of assignment to the same person, at the time the invention was made, if the applicant(s) or an attorney or agent of record makes a statement to the effect that the application and the reference were, at the time the invention was made, owned by, or subject to an obligation of assignment to, the same person.

Application 10/643,204 and Koehler et al. (U.S. Pat. App. Pub. No. 2004/0018506) were, at the time the invention of Application 10/643,204 was made, owned by Applera Corporation.

REJECTION UNDER 35 U.S.C. § 103

Claims 1-6 stand rejected under 35 U.S.C. § 103(a) as allegedly being anticipated by Stanley et al. (U.S. Pat. App. Pub. No. 2002/0156756) in view of Koehler et al. (U.S. Pat. App. Pub. No. 2004/0018506). This rejection is respectfully traversed.

The Examiner relies on Stanley et al. to teach a life sciences laboratory system. However, the Examiner admits that Stanley et al. do not teach a life sciences laboratory system having a catalog of life sciences related assay kits linked in memory to related portions of genomic data, and a purchasing subsystem presenting portions of the

catalog to users for potential purchase of assay kits identified as a result of access by the users of correspondingly related portions of genomic data.

The Examiner relies on Koehler et al. to teach a life sciences laboratory system having a catalog of life sciences related assay kits linked in memory to related portions of genomic data, and a purchasing subsystem presenting portions of the catalog to users for potential purchase of assay kits identified as a result of access by the users of correspondingly related portions of genomic data. However, Koehler et al. only qualifies as prior art under 35 U.S.C. § 102(e), and both Koehler et al. and the present application are commonly owned and were commonly owned or under an obligation to assign to the same entity at the time the invention of the present application was made. Therefore, Koehler et al. is disqualified as prior art under 35 U.S.C. § 103(c) for obviousness type rejections.

Applicants' claimed invention is directed toward a life sciences laboratory system. In particular, Applicants' claimed invention is directed toward a life sciences laboratory system having a catalog of life sciences related assay kits linked in memory to related portions of genomic data, and a purchasing subsystem presenting portions of the catalog to users for potential purchase of assay kits identified as a result of access by the users of correspondingly related portions of genomic data. For example, independent claim 1, especially as previously presented, recites, "A life sciences laboratory system, comprising: ... a catalog of life sciences related assay kits linked in memory to related portions of genomic data; and a purchasing subsystem presenting portions of said catalog to users for potential purchase of assay kits identified as a result of access by the users of correspondingly related portions of genomic data." Therefore,

Stanley et al. does not teach all of the limitations of independent claim 1, and Koehler et al. is not available as prior art under 35 U.S.C. 103(a) to supply the teaching lacked by Stanley et al.

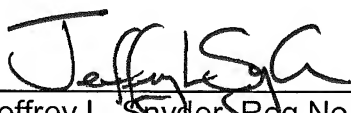
Accordingly, Applicants respectfully request the Examiner reconsider and withdraw the rejection of independent claim 1 under 35 U.S.C. § 103(a), along with rejection on these grounds of all claims dependent therefrom.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: July 17, 2007

By: 
Jeffrey L. Snyder, Reg No 43,141
Jennifer S. Brooks, Reg No 51,501

HARNESS, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600

JLS/kh